BOARD OF ADJUSTMENT Zoning Administration Division Development Services Department (DSD) 201 North Stone Avenue, Tucson, Arizona 85701

*** NOTICE OF DECISIONS ***

DATE OF PUBLIC HEARING January 27, 2010

THE DECISIONS OF THE BOARD OF ADJUSTMENT MAY BE APPEALED TO THE SUPERIOR COURT OF PIMA COUNTY BY FILING A COMPLAINT FOR SPECIAL ACTION WITHIN THIRTY (30) DAYS AFTER THE BOARD HAS RENDERED ITS DECISION. ARIZONA REVISED STATUTES SECTION 9-462.06 (J)&(K).

CASE NO.

THE APPLICANT

C10-10-03 STARR PASS BLOCK 25 C9-98-25/STARR PASS RESIDENTIAL LLC, 3645 WEST STARR PASS BOULEVARD, SR/C-1

The appellant (F. C. Ansley) is appealing the Zoning Administrator's (ZA) determination regarding the rezoning status for Block 25 of the property related to rezoning case C-98-25. On November 1, 2004, the Mayor and Council authorized a five-year time extension for rezoning case C9-98-25 from November 8, 2004 to November 8, 2009 subject to issuance of permits for construction of the proposed development by November 8, 2009. In a letter dated November 23, 2009, the Zoning Administrator determined that the plans and permits for the development were never completed and approved and therefore the rezoning has expired and cannot be extended again. Tucson *LUC* Sections applicable to this appeal include, in part, but are not limited to the following: Section 1.2.1, which provides for the Zoning Administrator to interpret the provisions of the *LUC* and Section 5.1.7.3 which provides for the Board of Adjustment to hear and decide on appeals made to the Zoning Administrator's decision. The appellant is requesting reversal of the Zoning Administrator's determination, dated November 23, 2009.

<u>DECISION</u>: CASE CONTINUED TO THE MARCH 24, 2010 HEARING.

If you want further information, please call Russlyn Wells at 837-4948 or Wayne Bogdan at 837-4946.

Sue Montes, Secretary Board of Adjustment

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